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FILED
DISTRICT COURT OF GUAM

FEB 07 2008 *pub*

JEANNE G. QUINATA
Clerk of Court

IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SONG JA CHA,
IN HA CHA
FREDA ESEUN, and
SAKNIN A. WERIA,

Defendants.

CRIMINAL CASE NO. **08-00008**

COMPLAINT

CONSPIRACY

[18 U.S.C. § 371]

(Count I)

SEX TRAFFICKING

[18 U.S.C. §§ 1591(a) & §2]

(Count II)

FOREIGN TRANSPORTATION

FOR PROSTITUTION

[18 U.S.C. §§ 2421 & §2]

(Count III)

THE UNDERSIGNED COMPLAINT CHARGES UPON INFORMATION AND BELIEF
THAT:

COUNT I - CONSPIRACY

Beginning in or about April 2007, continuing to in or about January 14, 2008, in the
District of Guam and elsewhere, SUN JA CHA, IN HA CHA, FREDA EUSEN, and SAKNIN A.
WERIA, the defendants, together with others known and unknown, unlawfully, willfully and
knowingly did conspire, confederate and agree, together and with each other, to commit offenses
against the United States, to wit, to commit sex trafficking in violation of Title 18, United States

1 Code, Section 1591(a); to commit interstate and foreign transportation of persons for purposes of
2 prostitution in violation of Title 18, United States Code, Section 2421.

3 All in violation of Title 18, United States Code, Section 371.

4
5 **COUNT II - SEX TRAFFICKING**

6 Beginning in or about April 2007 through January 14, 2008, in the District of Guam and
7 elsewhere, SONG JA CHA, IN HA CHA, FRED A EUSEN, and SAKNIN A. WERIA, the
8 defendants, in and affecting interstate and foreign commerce, unlawfully, knowingly and wilfully
9 recruited, enticed, harbored, transported, provided and obtained by any means D.R., S.S., M.C.,
10 L.P., K.C., N.T. , Chuukese nationals, and benefitted, financially and by receiving a thing of
11 value, from participation in a venture which has engaged in commercial sex acts, knowing that
12 fraud, force and coercion, as defined in Title 18, United States Code, Sections 1591(c)(2)(A) and
13 (B), would be used to cause D.R., S.S., M.C., L.P., K.C., N.T. to engage in such acts.

14 All in violation of Title 18, United States Code, Sections 1591(a) and 2.

15 **COUNT III - FOREIGN TRANSPORTATION FOR PROSTITUTION**

16 From in or about April 2007 through January 14, 2008, in the District of Guam and
17 elsewhere, SONG JA CHA, IN HA CHA, FRED A EUSEN, and SAKNIN A. WERIA,
18 the defendants, unlawfully, wilfully and knowingly, transported individuals, to wit: D.R., S.S.,
19 S.S., M.C., L.P., K.C., N.T., in interstate and foreign commerce, and in any Territory and
20 Possession of the United States, with the intent that such individuals engage in prostitution and in
21 sexual activity which would constitute a criminal offense under 9 Guam Code Annotated
22 §28.30(a)(1), (b)(1) and 4.60.

23 All in violation of Title 18, United States Code, Sections 2421 and 2.

24 **COMPLAINT FURTHER STATES:**

25 My name is Erfel Matanguihan and I am a Special Agent with the United States Immigrations
26 and Customs Enforcement (ICE). In that capacity, I attest to the following:
27
28

1. On January 13, 2008, in the Territory of Guam, a Guam Police Department (GPD) officer responded to a complaint from a club worker who said the owner/operator of a club called Blue House had her passport and refused to give it back. Guam Police officers responded and uncovered an operating brothel and enough corroborating evidence to justify arrest of the owner of the club and two employees on local charges including unlawful restraint, compelling prostitution and aggravated assault. GPD's Criminal Investigation Section (CIS) responded to the scene, obtained and executed a search warrant and collected evidence along with \$250,543.44 in cash found concealed in various locations about the club. ICE Resident Agent in Charge/Guam subsequently adopted the currency seizure and opened a criminal investigation for Human Trafficking violations.

2. I received and reviewed copies of the GPD police reports under police case number 2008-01208 and learned that from GPD's interviews of the girls herein referred to as K.C., S.S., L.P., M.C., D.R., S.S., and N.T., the following statements were commonly evident.

a. The girls who range in age of 18 to 22, were all recruited in Chuuk, Federated States of Micronesia (FSM) to work on Guam, U.S.A. by either Sinisio TIPINGENI, SAININ (the daughter of Sinisio TIPINGENI) or both, on behalf of the employer Song Ja CHA. The recruitment varied in dates from April 2007 to December 2007.

b. SAININ and Sinisio TIPINGENI, citizens and residents of Chuuk, made the girls believe that they would be working as waitresses or store clerks in a legitimate restaurant or a retail establishment on Guam.

c. Passport applications and travel arrangements for the girls were facilitated by SAININ and Sinisio TIPINGENI.

d. Airfare and related travel cost were paid for by the employer Song Ja CHA.

e. In Han CHA picked up the majority of the girls at the airport when the girls arrived on Guam. In Han CHA was accompanied by one or two other club workers when he picked up a new arrival at the airport. The girls were immediately taken to Blue House and introduced to Song Ja CHA.

1 f. Song JA CHA immediately confiscates the girls passports. Song Ja CHA warned
2 the girls that they were indebted to Song Ja CHA for the expenses of bringing them to Guam, and
3 that the girls must work to pay off their debt. Song Ja CHA does not disclose the travel costs to the
4 girls.

5 g. Song Ja CHA threatened the girls that should they runaway, Song Ja CHA will call
6 the POLICE and have the girls arrested.

7 h. The girls soon discovered that Blue House was actually a bar and were compelled
8 to work as hostesses. Eventually, the girls were drawn into prostitution, engaging in protected and
9 unprotected sexual intercourse in private rooms with male customers for the price of \$40.00. The
10 girls worked everyday from 4pm to 2am on weekdays, and up to 4am on weekends. On average, the
11 girls claimed to have engaged in sexual intercourse with 3 to 10 men per night.

12 i. The girls refusal to engage in sexual intercourse, and not satisfying the male
13 customers were met with customers complaining to Song Ja CHA. Song Ja CHA would shout and
14 become verbally abusive to the girls and pressure the girls to have sex with the customers to make
15 the customers "happy".

16 j. Song Ja CHA withheld meals from the girls who refused to have sex with customers
17 or when customers were not satisfied. On at least one occasion, Song Ja CHA slapped, kicked the
18 legs and pulled the hair of one of the girls after a customer complained that she refused to engage
19 in sexual intercourse.

20 k. Song Ja CHA employs two trusted employees Freda ESEUN and Saknin A
21 WERIA, both FSM citizens from Chuuk, who acted as the girls' supervisors. ESEUN and WERIA
22 kept close watch of the girls and monitored their communication with family members and relatives
23 to ensure the girls did not disclose the activities at the club. ESEUN and WERIA also trained the
24 girls on how to make the customers "happy" by engaging in sexual contact and intercourse.

25 l. Shortly after the arrival of the girls at Blue House, Song Ja CHA with the help of
26 ESEUN or WERIA, transported the girls to a clinic in the Tamuning area to receive a shot. The girls
27
28

1 later learned that the shot they received was a contraceptive.

2 m. Song Ja CHA collects the nightly earnings and keeps the money in her bed room
3 within Blue House. Song Ja CHA shares this bedroom with her husband In Han CHA. The girls
4 sleep in a group and shares a makeshift bed within Blue House.

5 n. Song Ja CHA ensures that the doors in Blue House are kept locked to prevent the
6 girls from leaving.

7 o. A few of the girls complained of not being paid any salary since their arrival at
8 Blue House. Some who had received salary payments, claimed that Song Ja CHA and In Han CHA
9 sent money through Western Union to Sinisio TIPINGENI in Chuuk, who would facilitate the
10 transfer of the money to the parents or relatives of the girls in Chuuk.

11 3. One of the girls employed at Blue House herein referred to as E.N. was said to be
12 mentally challenged. E.N. only described her duties as a hostess and denied engaging in prostitution.
13 The other girls say otherwise and said that E.N. was also drawn into prostitution and at times would
14 be slapped around by Song Ja CHA.

15 4. During the initial response by patrol officers, GPD Officer Norbert Tan stumbled into one
16 of the girls and a male customer in a private room who were naked. Officer Tan observed the two
17 engaged in sexual touching and learned that the two had just finished sexual intercourse.

18 5. The following are some of the evidence seized by GPD at Blue House following the
19 execution of a search warrant on January 14, 2008;

20 a. U.S. Currency in various bills and coins totaling \$250, 543.44. The cash were
21 found at several locations in the club concealed in flower vases and clothing.

22 b. Used condoms found underneath a couch in one of the private rooms.

23 c. Several Western Union Money Transfer receipts in various amounts sent by In Han
24 CHA to Sinisio TIPINGENI and others; Western Union Money Transfer receipts in various amounts
25 sent by Song Ja CHA to Sainin SAM and Sinisio TIPINGENI.

26 d. Travel itinerary receipts for K.C. and S.S.

1 e. Ledgers with hand written symbols and corresponding dollar values.

2 6. On January 18, 2008, Song Ja CHA telephonically contacted K.C. and invited K.C. to
3 return to the club to work. Song Ja CHA told K.C. that they were going to open for business again
4 K.C. declined the offer and spoke briefly to Saknin WERIA before hanging up the phone.

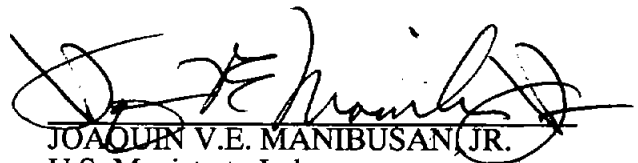
5 7. A joint investigation by GPD and ICE is continuing. Additional leads are developing
6 daily and more girls are being identified as past employees of Blue House.

7 DATED this 7th day of February 2008.

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10 

11 ERFEL MATANGUIHAN
12 Special Agent
13 Immigrations and Customs Enforcement

14 SUBSCRIBED AND SWORN TO before me on this 7th day of February 2008.

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17 JOAQUIN V.E. MANIBUSAN, JR.
18 U.S. Magistrate Judge
19 District Court of Guam
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Place of Offense:

City Hagåtña

Related Case Information:

08-00008

Country/Parish _____

Superseding Indictment _____ Docket Number _____

Same Defendant _____ New Defendant x

Search Warrant Case Number _____

R 20/ R 40 from District of _____

Defendant Information:

Juvenile: Yes _____ No X Matter to be sealed: _____ Yes x NoDefendant Name SONG JA CHA

Alias Name _____

Address _____

Tumon, GuamBirthdate Xx/xx/1942 SS# xxx-xx- Sex F Race A Nationality Korean

U.S. Attorney Information:

AUSA Rosetta L. San NicolasInterpreter: _____ No X Yes List language and/or dialect: Korean

RECEIVED
FEB 07 2008
DISTRICT COURT OF GUAM
HAGATNA, GUAM

Location Status:

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody☐ On Pretrial Release

U.S.C. Citations

Total # of Counts: 3 _____ Petty _____ Misdemeanor X FelonyIndex Key/CodeDescription of Offense ChargedCount(s)Set 1 18 USC 371 Conspiracy 1Set 2 18 USC 1591(a) & 2 Sex Trafficking 2Set 3 18 USC 2421 & 2 Foreign Transportation for Postitution 3

Set 4 _____

(May be continued on reverse)

Date: 2/6/08 Signature of AUSA: [Signature]

Place of Offense:

City Hagåtña

Related Case Information:

Country/Parish _____

Superseding Indictment _____ Docket Number **08-00008**Same Defendant _____ New Defendant x

Search Warrant Case Number _____

R 20/ R 40 from District of _____

Defendant Information:

Juvenile: Yes _____ No X Matter to be sealed: _____ Yes x NoDefendant Name IN HAN CHA

Alias Name _____

Address _____

Tumon, GuamBirthdate Xx/xx/1951 SS# xxx-xx- Sex M Race A Nationality Korean

U.S. Attorney Information:

AUSA Rosetta L. San NicolasInterpreter: _____ No X Yes List language and/or dialect: Korean

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Country/Parish _____

Superseding Indictment _____ Docket Number _____

Same Defendant _____ New Defendant x

Search Warrant Case Number _____

R 20/ R 40 from District of _____

Defendant Information:

Juvenile: Yes _____ No X Matter to be sealed: _____ Yes x NoDefendant Name FREDA ESEUN

Alias Name _____

Address _____

Tumon, GuamBirthdate Xx/xx/1984 SS# xxx-xx- Sex F Race PI Nationality Chuukese

U.S. Attorney Information:

AUSA Rosetta L. San NicolasInterpreter: _____ No X Yes List language and/or dialect: Chuukese

Location Status:

Arrest Date _____

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Related Case Information:

Country/Parish _____

Superseding Indictment _____ Docket Number **08-00008**
Same Defendant _____ New Defendant x
Search Warrant Case Number _____
R 20/ R 40 from District of _____

Defendant Information:

Juvenile: Yes _____ No X Matter to be sealed: _____ Yes x NoDefendant Name SAKNIN A. WERIA

Alias Name _____

Address _____

Tumon, GuamBirthdate Xx/xx/1984 SS# xxx-xx- Sex F Race PI Nationality Chuukese

U.S. Attorney Information:

AUSA Rosetta L. San NicolasInterpreter: _____ No X Yes List language and/or dialect: Chuukese

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Arrest Date _____

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